IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/657,250	Examiner: Shang, Annan Q.
	Group/Art Unit: 2424
Filed: September 6, 2000	Conf. No.: 9855
	Atty. Dkt. No: 5266-02600
Inventor(s):	
Pierre, et al.	
Title: EVENT BOOKING MECHANISM	

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Rory D. Rankin
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/ Rory D. Rankin /   September 28, 2009
<u>Signature</u>   <u>Date</u>

REPLY BRIEF TO EXAMINER'S ANSWER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

     This Reply Brief is filed in Response to the Examiner's Answer mailed on July 28, 2009.

STATUS OF CLAIMS

Claims 1-9, 11-25 and 28-29 are pending and rejected, and are the subject of this appeal. The status of claim 27 is unclear.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   The Final Office Action dated February 23, 2007, fails to provide a ground of rejection for claim 27.

2.   Claims 1-2, 4, 7-9, 12-15, and 17-21 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over newly cited U.S Patent No. 6,446,136 (hereinafter "Pohlmann"), in view of U.S. Patent No. 6,598,169 (hereinafter "Warwick"). In addition, claims 1, 5, 22-25 and 28-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,699,107 (hereinafter "Lawler") in view of Pohlmann, further in view of Warwick. Claims 3 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawler, in view of Pohlmann, in view of Warwick, and in view of U.S. Patent No. 6,108,695 (hereinafter "Chawla"). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick and in view of U.S. Patent No. 6,636,901 (hereinafter "Sudhakaran"). Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick in view of U.S. Patent Publication 2003/0159150.

REMARKS

The below is presented in response to the Examiner's Response to Argument in the Examiner's Answer. Appellants have presented below responses to any *new* statements by the Examiner. Thus, where no new discernable arguments were presented in the Examiner's Answer, Appellants have not added further responses, but relied on those presented in the Appeal Brief.

Status of Claim 27 Unclear

Prior to addressing the Examiner's Answer, Appellant again notes that the Final Office Action dated February 23, 2007, indicated in Disposition of Claims that claim 27 was rejected. However, nowhere in the remainder of the Final Rejection is claim 27 or its features mentioned. Accordingly, Appellant submits the Final Office Action is not internally consistent and is not complete as to all matters as required by 37 CFR § 1.104. Appellant also notes that while claim 27 was identified in the Disposition of Claims section of the Final Rejection as being rejected, the Examiner's Answer nowhere mentions claim 27 as a rejected claim. Accordingly, Appellant is left unsure as to the status of claim 27. If claim 27 is deemed to correspond to allowable subject matter, Appellant requests the record be clarified as such.

Turning now to the Examiner's comments in the Answer, claim 1 recites that the event broker is configured to register event bookings in response to requests from one or more clients. Given the equivalences proffered by the examiner, Pohlmann would have to disclose the event correlator (413, 330) (which the examiner equates with the recited event broker) is configured to register event bookings in response to requests from clients. However, Pohlmann does not disclose such features. In the Office Action, the examiner cited column 5, lines 3-26, of Pohlmann as disclosing the above features. However, Appellant disagreed and discussed in Appellant's Brief that Pohlmann does not disclose the event correlator 413 is configured to register event bookings in response to

requests from one or more clients as suggested. On page 13 of the Examiner's Answer, the examiner cites a different portion of Pohlmann for support of the above features. However, the newly cited portion of the reference nowhere mentions the above features. The newly cited portion of Pohlmann is at col. 3, lines 36-39 as follows:

> "The request of the present invention differs from a normal database query in that it is not solely a request for data already in existence, but an ongoing request for a collection of events that have yet to occur or exist."

As can clearly be seen, this newly cited disclosure in now way discloses or suggests an event broker configured to register a plurality of event bookings in response to requests from one or more clients as recited. Rather, the above disclosure simply describes a subscription.

Claim 1 also recites "each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur." Again, the examiner cites the same disclosure discussed above (col. 5, lines 3-39) as disclosing these features. However, nowhere does this cited portion disclose "a first request . . . for an event booking" which identifies (1) a first event which may occur in the future; and (2) a first action to be taken upon occurrence of said first event as recited. Rather, Pohlmann discloses a system wherein an event manager 411 receives a subscription request for an event, and forwards matching events to the subscriber of the event. For example,

> "As shown in FIG. 4, the event manager 402 of node a 401 and the event manager 411 of node b 410 also <u>receive event information from the event correlator 413</u> of node b 410. The event manager 411 of node b 410 also <u>provides events to the event correlator 413</u> on node b. The event manager 411 also receives event information from point product 415, where events are actually occurring. Event manager 402, 411 maintains, for example, the events and their associated state and a list of subscriptions. Each event manager may have a local memory data store, e.g., a blackboard, where statefull events are stored. The blackboard may be kept persistent in a file based storage, for recovery of the information across generations (process invocation of the event manager). The clients subscribing to events are responsible for

reestablishing the respective subscriptions across new invocations of the event manager. Accordingly, the subscriptions may be maintained in memory. The local event archive is maintained for all the events received by the event manager. The event management system of the present invention also may correlate events from multiple nodes. In an exemplary embodiment of the present invention, the event management system provides views of events consolidated to single management stations or in views/categories that cross node boundaries. The request of the present invention differs from a normal database query in that it is not solely a request for data already in existence, but an ongoing request for a collection of events that have yet to occur or exist. When a subscription is made for an event such as, for example, an event occurring at a point product 415, a subscription request is sent to event manager 411 on node b 410. The event manager 411 receives the request and adds this request to its list of outstanding requests which may be stored, for example, in memory. The event manager 411 checks outstanding events previously stored, for example, in a blackboard, to see if it matches the request criteria. Each matching event is forwarded, e.g., published, to the requester, e.g., the subscriber of the event. Any new events which are received and match the subscription criteria are also forwarded. This may continue until the subscription is canceled." (Pohlmann, col. 5, lines 3-52).

As seen from the above, Pohlmann clearly describes the event correlator as being configured to receive or convey event information and matching events are forwarded to the subscriber. However, Pohlmann does not disclose the event correlator is "configured to register a plurality of event bookings in response to requests from one or more clients, wherein each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur."

CONCLUSION

For the foregoing reasons, it is submitted that the remaining rejections are erroneous, and reversal of the rejections is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such an extension. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 501505/5266-02600/RDR.

Respectfully submitted,

/ Rory D. Rankin /

Rory D. Rankin
Reg. No. 47,884
Attorney for Appellants

Meyertons, Hood, Kivlin,
   Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
(512) 853-8800

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